

SUPERIOR COURT  
OF THE  
STATE OF DELAWARE

ABIGAIL M. LEGROW  
JUDGE

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August 31, 2017

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**RE: Lawrence E. Mergenthaler v. Triumph Mortgage Corp.**  
**C.A. No. 09C-09-203 AML**

Dear Counsel,

It recently has come to my attention that Judge Graves issued a decision in a judgments case, *Evans v. G-33, Inc.*, which directly addresses the issue raised in Triumph Mortgage Corporation's appeal of the Commissioner's report and recommendation in the above-captioned matter ("Triumph's Appeal").<sup>1</sup> The party in *Evans* has appealed this Court's decision and that appeal presently is pending before the Delaware Supreme Court.<sup>2</sup> In the interest of efficiency and judicial economy, Triumph's Appeal hereby is stayed until the Delaware Supreme Court issues its decision in *Evans*. **IT IS SO ORDERED.**

Very truly yours,

  
Abigail M. LeGrow, Judge

Enclosure  
Original to Prothonotary  
cc: Benjamin P. Chapple, Esquire

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<sup>1</sup> See *Evans v. G-33, Inc.*, C.A. No. SS08J-03-068 (Del. Super. June 1, 2017) (LETTER OPINION). Because the dockets in judgments cases are difficult to access, a copy of that decision is attached for the parties' reference.

<sup>2</sup> *Evans v. G-33, Inc.*, No. 248, 2017 (NOTICE OF APPEAL).